**HON'BLE THE CHIEF JUSTICE SHRI G.S. SINGHVI**
**AND**
**HON'BLE SRI JUSTICE G. BHAVANI PRASAD**

**W.A. No.1833 of 2005**

**Between:**

Karimella Someshwar Rao
and others. … Appellants.

and

The State of Andhra Pradesh,
represented by its Principal Secretary,
Revenue Department (UC-II) Secretariat,
Hyderabad and others.
…
Respondents.

**:JUDGMENT:**

Counsel for the appellant : Sri J. Venkateswara Reddy.

Counsel for the respondent : Government Pleader for Revenue

**10th July, 2006**

**Per G.S. Singhvi, CJ**

This appeal is directed against order dated 9.9.2005 passed by the learned Single Judge in Writ Petition No.18183 of 2005 whereby he refused to extend the benefit of policy of the Government contained in G.O.Ms.No.733 Revenue (UC.II) Department dated 31.10.1988 and G.O.Ms.No.209, M.A., Housing, Municipal Administration and Urban Development (I-I) Department dated 1.6.1989 to the appellants.

Learned counsel for the appellants says that he has been instructed by his clients to withdraw the appeal with liberty to avail alternative remedy of appeal.

Learned Government Pleader for Revenue says that he does not have any objection.

In view of the above, the request of the learned counsel is accepted and the appeal is dismissed as withdrawn with liberty in terms of the prayer made.

However, it is made clear that if the appellants prefer appeal or avail other legal remedy, the respondents shall be free to raise all legally permissible objections to oppose the maintainability of the appeal etc. and also to contest the same on merits.

As a sequel to dismissal of the appeal, interim order dated 3.10.2005 passed in W.A.M.P.No.3270 of 2005 stands automatically vacated and W.A.M.P. is dismissed.

**G.S. SINGHVI, CJ**

10th July, 2006 **G. BHAVANI PRASAD, J**

**vtv** /svs